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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Terwilliger et al.
Appl. No.: 10/035,083
Confirm. No.: 3945
Filed: December 28, 2001
Title: DELIVERY SYSTEM AND METHOD FOR
INTERSTITIAL RADIATION THERAPY

PATENT APPLICATION

Art Unit: 3736
Examiner: John P. Lacyk
Atty.Docket No.: WORLD-01000US1

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.

Mathew Otts (Signature)
Signature Date: June 23, 2005

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JUN 29 2005

OFFICE OF PETITIONS

PETITION FOR WITHDRAWAL FROM ISSUANCE UNDER 37 C.F.R. §1.313

Mail Stop 313(c)
Commissioner for Patents
Washington, DC 20231

Dear Sir:

Applicants bring this petition under 37 C.F.R. §1.313 to withdraw the above-identified patent application from issue so as to permit consideration of an Information Disclosure Statement ("IDS") by the USPTO. This petition is accompanied by a Request for Continued Examination ("RCE") under 37 C.F.R. §1.114 and an IDS.

FACTS

The present application was filed on December 28, 2001.

A Notice of Allowance was issued on August 11, 2004.

The issue fee for this application was paid on November 12, 2004.

Applicants have not yet received an Issue Notification.

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DISCUSSION

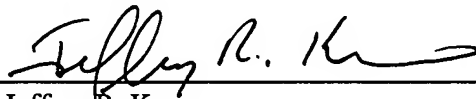
Applicants are filing this petition under 37 C.F.R. §1.313 to withdraw this application from issue after payment of the issue fee. Applicants are filing this petition together with an RCE and an IDS which lists additional references that Applicants would like to have considered by the USPTO. According to 37 CFR § 1.313(c)(2), filing an RCE under 37 C.F.R. §1.114 is a good and sufficient reason to withdraw an application from issue.

A check in the amount of \$525.00 is enclosed to cover the \$130.00 Petition fee set forth in 37 C.F.R. § 1.17(h) and the \$395.00 fee set forth in 37 C.F.R. §1.17(e) for filing an RCE (by a small entity).

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: June 23, 2005

By: 
Jeffrey R. Kurin
Reg. No. 41,132

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